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11 **IN THE UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF WASHINGTON**
13 **AT SPOKANE**

14 STATE OF WASHINGTON,

15 Plaintiff,

16 v.

17 MIGUEL CARDONA, in his official
18 capacity as the United States Acting
19 Secretary of Education¹, et al.,

20 Defendants.
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Case No. 2:20-cv-00182-TOR

**JOINT STATUS REPORT AND
STIPULATED REQUEST TO
CONTINUE HOLDING PROCEEDINGS
IN ABEYANCE**

27 ¹ Pursuant to Fed. R. Civ. P. 25(d), Miguel Cardona is automatically substituted as a
defendant in this action.

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2 The parties respectfully submit this joint status report pursuant to the Court's Order of
3 February 18, 2021, and further stipulate—and respectfully request—that the Court continue to
4 hold proceedings in this action in abeyance. The parties have conferred and report as follows:

5 1. Following the change in Department leadership on January 20, 2021, the
6 Department has continued to work towards publishing a final rule or taking other action to
7 address the issues raised in comments submitted regarding the IFR at issue in this case. In light
8 of the Department's continuing consideration, counsel for Defendants conferred with counsel for
9 Plaintiff, and the Parties have agreed and jointly request that proceedings in this case be held in
10 abeyance for an additional sixty days. The Parties further agree and propose that, at the end of
11 this sixty-day period, the Parties will file a joint status report apprising the Court of the status of
12 the Department's consideration and whether the Parties wish to proceed with briefing cross-
13 motions for summary judgment, including, if applicable, a revised briefing schedule.

14 2. The Parties thus respectfully request that the Court continue to hold proceedings
15 in this action in abeyance and order the parties to file a joint status report no later than sixty days
16 from the date of the Court's order, apprising the Court of the status of the Department's
17 consideration and whether the Parties wish to proceed with briefing cross-motions for summary
18 judgment, including, if applicable, a revised briefing schedule.
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1 DATED: April 19, 2021

Respectfully submitted,

2 BRIAN M. BOYNTON
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5 /s/ Alexander V. Sverdlov
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28 JOINT STATUS REPORT AND STIPULATED REQUEST TO CONTINUE HOLDING PROCEEDINGS IN ABEYANCE
Case No. 2:20-cv-00182-TOR

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of April, 2021, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing.

/s/ Alexander V. Sverdlov
ALEXANDER V. SVERDLOV